

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0594

STATE OF MONTANA,

Plaintiff and Appellee,

v.

COLTER EPLER,

Defendant and Appellant.

FILED

FEB 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

The Appellee, State of Montana, respectfully requests a 30-day extension of time until April 2, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on March 3, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 24th day of February, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: Sheri K. Sprigg
SHERI K. SPRIGG
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

Ms. Wendy Holton
Attorney at Law
211 5th Avenue
Helena, MT 59601

Ms. Tara Harris
Deputy Lewis & Clark County Attorney
228 Broadway
Helena, MT 59620-1401

DATED: 2/24/10 Shari K. Sping